

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

**MELVIN D. POWELL, individually and
as attorney in fact for SHANNON SNODGRASS
CONSTANCE S. GOLDEN, CHRIS CORBITT
EMILY CORBITT, JOHN DENNIS and DEBBIE
DENNIS**

Plaintiffs,

v.

CIVIL ACTION NO.: 2:18-cv-01180

CSX TRANSPORTATION, INC.,

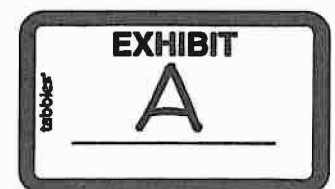
Defendant.

AFFIDAVIT OF

STATE OF Virginia,
COUNTY OF Henrico, TO WIT:


Now comes the affiant, TROY J. CREASY, after being duly sworn, and states as follows:

1. My name is TROY J. CREASY and I am employed by Defendant CSX Transportation, Inc. as Project Manager II for the Capital & Public Projects Department;
2. I make this affidavit based on my personal knowledge and experience;
3. I have reviewed the Declaratory Judgment Complaint filed by Plaintiffs;
4. As part of my position with CSX Transportation, Inc. I am responsible for managing the installation of new crossings for the Ohio River Subdivision in the Baltimore Zone, which is the portion of CSX Transportation's operating system that the parcels of land owned by Plaintiffs are located;



5. The cost to CSX Transportation, Inc. for the installation of the type of crossing that the Plaintiffs are requesting is approximately SIXTY-TWO THOUSAND TWNETY FIVE dollars (\$62, 025.00) for labor and materials;
6. CSX Transportation, Inc. would also incur various administrative costs associated with the installation and maintenance of the requested crossing;
7. That in addition to the installation costs, CSX Transportation would be required to expend additional funds to maintain the crossing on yearly recurring cycle;
8. That the cost of maintaining the crossing would be approximately between FOUR THOUSAND FIVE HUNDRED DOLLARS (\$4,500.00) and FOUR THOUSAND SEVEN HUNDRED (\$4,700.00) dollars per yearly cycle; and
9. As demonstrated, the cost to CSX Transportation, Inc. to install the crossing sought as part of the Declaratory Judgment Complaint would exceed seventy-five thousand dollars (\$75,000.00) inclusive of materials and labor.

Further, the affiant sayeth naught.




STATE OF Virginia
COUNTY OF Henrico, TO-WIT:

Taken, subscribed and sworn to before me, a Notary Public, this ____ day of July, 2018.

My commission expires: April 30, 2020.



[SEAL]



Notary